

REMARKS

In accordance with the foregoing, Claims 1, 8, 15, and 16 have been amended. No new matter has been added. Claims 1, 3-8, and 10-17 are pending and under consideration.

EXAMINER INTERVIEW

First, Applicant wishes to thank the Examiner for the courtesy of an interview granted to Applicant's representative on October 17, 2006, at which time the outstanding issues in this case were discussed. Arguments similar to the ones developed hereinafter were presented and the Examiner indicated that in light of the arguments, the amended claims appear to overcome the prior art reference used for the anticipation rejection.

CLAIM REJECTIONS UNDER 35 U.S.C. §102

On page 2, numbered paragraph 2 of the outstanding Office Action, Claims 1-3, 7-10, and 14-17 are rejected under U.S.C. §102(b) as anticipated by U.S. Patent No. 5,937,051 to Hurd et al. (hereinafter "Hurd").

In light of the clarifying discussions during the October 17th interview, Applicant amends independent claims 1, and 8 to replace the recitation "transmission time" with "transmission duration". The claim amendments are fully supported by the originally filed specification, for example, in FIG. 6 element 601 illustrates for each operation whether it was completed and in how much time (i.e., duration).

As indicated in the Interview Summary, in view of these claim amendments, independent claims 1, 8, and dependent claims 3-7 and 10-14 depending upon independent claims 1 and 8, respectively, patentably distinguish over Hurd at least by reciting "the transmission-record information includes information about a transmission duration for each information piece."

Regarding independent claim 15 which is amended herewith only for simplification purposes, Applicant respectfully submits that Hurd does not disclose at least

"transmitting the transmission-record information to an operator terminal device that responds to a second user call different from the first user call, the second user call being another call from a user who has transmitted the first user call by the user communication device, wherein

the creating of the transmission-record information includes supporting information that supports response communication for

an operator using the operator terminal device based on the transmission-record information, and wherein the transmitting of the transmission-record information includes transmitting the supporting information to the operator terminal device.”

Similarly, claim 16 which is amended herewith only for simplification purposes, Applicant respectfully submits that Hurd does not disclose at least

“a transmitter that transmits the transmission-record information to an operator terminal device that responds to a second user call different from the first user call, the second user call being another call from a user who has transmitted the first user call by the user communication device; and

a supporting information creator that creates supporting information which supports response communication for an operator using the operator terminal device based on the transmission-record information, wherein the transmitter transmits the supporting information to the operator terminal device.”

Hurd refers to a call transfer and not to providing record and support for a second call based on a first call record as in claims 15 and 16.

Claims 17 patentably distinguishes over Hurd by reciting

“creating supporting information that supports response communication for an operator using an operator terminal device based on transmission-record information including timing information transmitted to a user communication device in response to a user call, wherein the transmission-record information including the supporting information is transmitted to the operator terminal device.”

The indicated portion of Hurd merely discloses transferring a call with the two components the voice component and the data component from a first center to a second center, while the claim refers to transmitting supporting information and transmission-record information to “a user communication device in response to a user call”.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

On page 4, numbered paragraph 4 of the Office Action, Claims 4-6, and 11-13 were rejected under U.S.C. §103(a) as unpatentable over Hurd in view of U.S. Patent No. 6,904,143 to Peterson et al. (hereinafter “Peterson”).

Peterson does not correct or compensate for Hurd’s failure to teach or suggest “the transmission-record information includes information about a transmission duration for each information piece.”

Additionally, as argued in the Amendment filed on April 15, 2006, Peterson fails to teach

"the transmission-record information includes data concerning a ratio of amount of each information piece that has been transmitted to the user communication device to total amount of the each information piece," as recited in Claims 4 and 11. The portion of Peterson (i.e., col. 29, lines 23 to 53) indicated in the Office Action refers to a "saving potential," which relates to a ratio of calls handled by IVR to calls handled by an agent. The ratio of calls is not the same as the "ratio of amount of each information piece that has been transmitted to the user communication device to total amount of the each information piece" as recited in Claims 4 and 11 of the present application. Applicant respectfully requests the Examiner to consider the above previously-presented argument.

Conclusion

Applicant respectfully request entry of this Rule 116 Response and Request for Reconsideration because it is believed that the amendments of claims 1 and 8 put this application into condition for allowance as suggested by the Examiner.

If there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date: October 19, 2006

By: L Todor
Luminita Todor
Registration No. 57,639

1201 New York Ave, N.W., 7th Floor
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501